

**Location** **147 Cheviot Gardens London NW2 1QB**

**Reference:** **22/0425/FUL** Received: 27th January 2022  
Accepted: 27th January 2022

Ward: Cricklewood Expiry 24th March 2022

**Case Officer:** **Emily Bell**

Applicant: Mr Sanjay Gulati

Proposal: Conversion of single residential dwellinghouse into 2 self-contained flats, including part single, part two storey side and rear extension and alterations to existing rear dormer window. Associated amenity space, refuse storage, cycle storage and off-street parking

### **OFFICER'S RECOMMENDATION**

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:  
202111/147CG/C/01  
202201/147CG/C/02 REV D  
202111/147CG/C/03  
202201/147CG/C/04 REV D  
202201/147CG/C/05  
202111/147CG/C/S1

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan

Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 5 a) Before the development hereby permitted is first occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 6 The use of the outbuilding hereby permitted shall at all times be ancillary to and occupied in conjunction with the Unit 2 and shall not at any time be occupied as separate units or dwellings.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 7 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby

approved they shall all have been constructed to have 100% of the wholesome water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. Any use of grey water and/or rain water systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations.

The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012), Policy SI 5 of the London Plan 2021 and Barnet's Sustainable Design and Construction SPD (2016).

- 8 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 10 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 9 Prior to occupation of the development, cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's local Plan Policy CS9 of the Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 10 Prior to occupation of the development the proposed parking spaces within the parking area as shown in drawing no. 202201/147CG/C/05 submitted with the planning application and the access to the parking area from public highway shall be provided and the access to the parking spaces shall be maintained at all times. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and

Policy DM17 of Development Management Policies (Adopted) September 2012.

- 11 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 12 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

**Informative(s):**

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to

have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from:

<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 4500.

- 4 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail [highways.development@barnet.gov.uk](mailto:highways.development@barnet.gov.uk) or [nrswa@barnet.gov.uk](mailto:nrswa@barnet.gov.uk) at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 5 Refuse collection points should be located within 10 meters of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
- 6 Any gates must open inwards and not out onto the public highway for health and

safety reasons.

- 7 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licences please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licences or email [highwayscorrespondence@barnet.gov.uk](mailto:highwayscorrespondence@barnet.gov.uk).

## **OFFICER'S ASSESSMENT**

### **1. Site Description**

The application property is a two-storey semi-detached single-family dwelling on the south side of Cheviot Gardens on a corner plot with Chiltern Gardens located in the Cricklewood ward. The application property is not located in a conservation area or locally / statutorily listed.

### **2. Relevant Site History**

Reference: 19/6016/192

Address: 147 Cheviot Gardens, London, NW2 1QB

Decision: Lawful

Decision Date: 6 December 2019

Description: Roof extension involving hip to gable, rear dormer window and 3no front facing rooflights

Reference: 19/6019/HSE

Address: 147 Cheviot Gardens, London, NW2 1QB

Decision: Approved subject to conditions

Decision Date: 30 December 2019

Description: Part single, part two storey side and rear extension

### **3 Proposal**

This application seeks full planning permission for the conversion of the single residential dwellinghouse into 2 self-contained flats, including part single, part two storey side and rear extension and alterations to existing rear dormer window.

Associated amenity space, refuse storage, cycle storage and off-street parking.

Unit 1 is proposed on the ground floor and is a 2 bed, 4 person unit with a GIA of 90sqm

Unit 2 is proposed on the first and loft floors and is a 3 bed, 5 person unit with a GIA of approx. 99sqm

2no parking spaces are provided.

Amenity space is provided to the rear for both flats. Unit 1 would be provided with 38.9m<sup>2</sup> and Unit 2 with 52.2m<sup>2</sup>.

## 4. Public Consultation

Consultation letters were sent to 64 neighbouring properties. 18 letters of objection have been received, summarised below:

- o Number of flat conversions is detrimental to the community and character of the estate
- o Anti-social behaviour as a result of flat conversions
- o Loss of green space
- o Would lead to extra pressure on local services
- o Proposals are too big
- o Already stress on parking in the area
- o Loss of amenity through loss of front garden
- o Proposals make no reference how they will deal with SUDS requirement
- o Loss of single family housing stock
- o Overdevelopment and high intensity
- o Design provides blank wall to corner of Chiltern Gardens
- o Insufficient daylight

An objection from the Golders Green Estate Residents Association was also received, summarised below:

- o Negative cumulative impact of overdevelopment
- o Not economically or socially sustainable
- o Not environmentally sustainable
- o Eroding character of area
- o Good existing offer of housing mixes
- o Cluttered streetscene
- o Street parking problems
- o Character of family homes
- o Intensive use
- o Beds-in-shed control
- o The area requires family homes

### 4.1 Internal Consultation

#### Highways

The LPA's Highways department were consulted regarding this application. The following comments were made:

The site lies within a PTAL 3 zone, which means that there is good public transport accessibility to and from the site. The proposed provision of 2x off-street parking spaces, 1x space per dwelling, is in line with requirements set out on Policy DM17 of the Barnet Local Plan and is therefore deemed acceptable on highways grounds.

The application is recommended for approval subject to conditions.

## 5. Planning Considerations

### 5.1 Policy Context

Revised National Planning Policy Framework and National Planning Practice Guidance



The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published on 20th July 2021. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities...being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

### The Mayor's London Plan 2021

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

### Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS14.
- Relevant Development Management Policies: DM01, DM02, DM08, DM17.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

### Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan -Reg 22 - Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission the Local Plan will now undergo an Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents Barnet's draft Local Plan.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

### Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- i. The principle of flats in this location
- ii. Whether the proposal provides satisfactory living accommodation for future occupiers
- iii. Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality
- iv. The impact on the amenities of neighbouring occupiers
- v. Parking and highways
- vi. Cycle Storage
- vii. Refuse and recycling storage.

## **5.3 Assessment of proposals**

### Principle of conversion into flats in this location

The Borough has an attractive and high-quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity,

and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, that can have an unacceptable impact on the established character of an area.

Within Paragraph 2.8.1 of the Development Management Document which is a material consideration in the determination of this application, the Council state the following: "The conversion of existing dwellings into flats can have a cumulative effect that damages the quality of the environment and detracts from the character of established residential areas. Conversions may be appropriate in certain types of property or street but can harm the character by changing the function of a neighbourhood through more activity which increases noise and disturbance and thus impacts on amenity. This intensification of use can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flatted accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate.

Policy DM01 of Barnet's Local Plan Development Management Policies DPD 2012 (LP) states that proposals should be based on an understanding of local characteristics. Criterion h of the same policy states that the conversion of dwellings into flats in roads "characterised by houses" will not normally be appropriate.

Following an assessment of planning records, it is noted that a large number of properties on Cheviot Gardens benefit from planning permission for the conversion into self-contained flats.

Planning permission has been granted between the period 2006-2021, notably nos. 145 (C14798D/06 and F/02295/10 and 17/1280/FUL), 80 (F/01365/09), 153 (F/04564/12), 124 (14/07553/FUL), 8 (16/6467/FUL), 108 (17/2834/FUL), 144 (17/7057/FUL), 46 (18/5942/FUL) and 51 (20/6116/FUL).

Cheviot Gardens is therefore considered an appropriate location in which housing has already undergone conversions and redevelopment into small-flatted development. Given the character of Cheviot Gardens, officers consider that the principle of the conversion of the single family dwelling in this location to be acceptable in principle, in compliance with Policy DM01.

Further, the proposal would provide a 3 bedroom unit which would provide a family sized unit.

#### Whether the proposal provides a satisfactory living environment for future occupiers

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough.

Floorspace standards:

The London Plan sets a minimum Gross Internal Floor Area flats based on a standard set for the number of bedrooms(b) and persons-bedspaces (p). Table 3.3: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m<sup>2</sup> and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m<sup>2</sup> and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

A 2 bed, 4 person unit over 1 storey requires 70sqm and a 3 bed, 5 person unit over 2 storeys requires 93sqm.

The proposed units are as follows:

Flat A is proposed on the ground floor and is a 2 bed, 4 person unit with a GIA of 90m<sup>2</sup>.

Flat B is proposed on the first and loft floors and is a 3 bed, 5 person unit with a GIA of 99m<sup>2</sup>.

Both flats are shown to meet the relevant minimum standards for internal floorspace.

Outlook, light and privacy:

Policy DM01 states that 'Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users'.

Both flats A and B are dual aspect. The proposed flats are considered to benefit from adequate light and outlook.

Stacking:

Policy DM04 of the Development Management Document (2012) part d. states that proposals will be refused if they lead to an unacceptable level of noise and disturbance unless the scheme can demonstrate any mitigation measures.

The proposed layout provides reasonable stacking throughout the property. In the event of an approval, a condition should be attached for Pre-Completion Sound Insulation Test Certificates to be submitted to the LPA.

Outdoor amenity space:

Section 8.4 of Barnet's Local Plan SPD: residential design guidance states: "in designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to outdoor amenity space that is not overlooked from the public realm and provides reasonable level of privacy". Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m<sup>2</sup> per habitable room. Rooms over 20m<sup>2</sup> should be counted as two habitable rooms.

Both units would have access to private amenity space. Unit 1 would be provided with 38.9m<sup>2</sup> and Unit 2 with 52.2m<sup>2</sup>. Both units would provide adequate outdoor amenity

space. It is noted that due to site constraints and the proposed side extension extending up to the side boundary the access to the private amenity space of Unit 2 would be via the street. Although this is not an ideal situation, it is considered that on balance the proposal does provide for private outdoor amenity space for both units and the access is considered reasonable in this case given the corner property nature of the application site.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

Paragraph 131 of the NPPF states that 'in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.' Thus, any proposal should respect the local character and either preserve or enhance it. This is compliant with policies DM01 and CS05 of the Local Plan DPD.

Para 14.14 of the Residential Design Guide SPD 2016 states that side extensions to existing buildings can be unacceptably prominent features in the street scene as shown by Figure 4. Where gaps between houses are a common feature of a street, then proposals which close such gaps or create a terracing effect by bringing buildings too close together are likely to be rejected.

Para 14.15 of the Residential Design Guide SPD 2016 states that side extensions should not be more than half the width of the original house. In addition, the setting back of the front wall of side extensions from the front building line can help to reduce the visual impact on the street scene. First floor side extensions should normally be set back 1 metre from the front main wall of the existing house. Figure 5 shows a subordinate side extension.

Para 14.21 of the Residential Design Guide SPD 2016 states that the depth of a single storey rear extension, normally considered acceptable for terraced properties is 3 metres, for semi-detached properties it is 3.5 metres, and detached property is 4 metres.

The application site previously gained approval for a part single, part two storey side and rear extension (planning ref. 19/6019/HSE) and a roof extension involving hip to gable, rear dormer window and 3 no front facing rooflights (planning ref. 19/6016/192).

Since the permission for the part single, part two storey side and rear extension has been approved, the roof extensions proposed under permitted development have been built, as per the site photographs submitted. An informative was included within the decision notice for 19/6019/HSE that stated that "The applicant is advised that if the roof extensions the subject of certificate of lawfulness 19/6016/192 are implemented, a further application would be required for the side and rear extensions." .

The single storey rear extension would measure approx. 3.50 metres at ground level. The development would adhere to the Council Guidance insofar as a subordinate depth and height of a single storey rear extension (in the case of a semi-detached property) on the common boundary with no 145 to the east of the application site. Amendments were received throughout the lifetime of the application that included a reduction in the overall scale of the extensions proposed. This included the removal of the proposed first floor rear extension and the resulting scheme is considered to result in a much more proportionate extension to the original property. The reduced scheme is also considered more in keeping with surrounding development.

Overall, the revised scheme is considered to have an acceptable impact on the character and appearance of the host building and wider area.

### Impact on the amenities of neighbours

The proposed extensions were found to have an acceptable impact on the amenities of neighbouring occupiers under application ref. 19/6019/HSE and officers views remain that the proposed extensions would have an acceptable impact. It is noted that due to the construction of the roof extension since the previous application was approved that there are changes to the proposed roof form of the side and rear extensions, however, this is not considered to result in any greater impact to the amenities of neighbouring occupiers.

The existing dwelling benefits from 3no bedrooms. Given the size of these bedrooms, it is likely that the existing occupancy could be 6 persons.

The proposal is for 1x2bed, 4 person and 1x3 bed, 5 person flats and the conversion would result in an additional occupancy. It should be noted that several properties in close proximity to the site have been converted into flats. Whilst it is accepted that the scheme would result in additional comings and goings than the existing single family dwelling, it is considered that given the character of the surrounding properties and Cheviot Gardens as a whole, officers do not consider that the increase in occupancy level would result in an unacceptable level of harm to the amenity of the neighbouring occupiers that would warrant a refusal.

Residential use is accepted on site and it is considered that there would be no significant additional impact on the residential amenities of the neighbouring occupiers as a result of the sub-division. Thus, it was found that the proposed development will have an acceptable impact to the neighbouring properties.

Therefore, in assessment, the conversion is not considered to result in an intensity of use that would be harmful to the neighbouring residential occupiers by way of noise and disturbance and comings and goings.

### Parking and highways

Barnet's Highways department were consulted regarding parking and highways for the proposed development.

The site lies within a PTAL 3 zone, which means that there is good public transport accessibility to and from the site. The proposed provision of 2x off street parking spaces, 1x space per dwelling is in line with requirements set out on Policy DM17 of Barnet Local Plan and is therefore deemed acceptable on highways grounds.

The applicant is proposing to use the existing access.

The application is therefore found acceptable on highways grounds.

### Cycle Storage

Cycle parking and cycle storage facilities should be provided in accordance with the London Borough of Barnet's Local Plan, in the interests of promoting cycling as a mode of transport.

A condition can be attached to any approval requiring details of cycle parking, including providing a secure, covered and lockable location.

### Refuse and recycling storage

The plans indicate that refuse storage is proposed to the side of the application site. Details of refuse and recycling storage and collection is to be secured by condition in the event of approval.

### Accessibility and Sustainability

Conditions would be attached to any permission to ensure the integration of water saving and efficiency measures insofar as a maximum of 105 litres of water consumption per person per day to comply with Policy S1.5 of the London Plan (2021) and a reduction of CO2 emissions over Part L of the 2013 Building Regulations in accordance with the requirements of Policy S1.2 of the London Plan (2021) and the 2016 Housing SPG's requirements.

## **5.4 Response to Public Consultation**

- o Would lead to extra pressure on local services
- o Not economically or socially sustainable

The addition of 1no additional dwelling is not considered to result in additional pressure that would warrant refusal of the application.

- o Proposals are too big

Amendments have been received to reduce the scale of the proposed extensions. The impact on the character and appearance of the site has been discussed within the main body of the report.

- o Already stress on parking in the area
- o Street parking problems
- o Cluttered streetscene

Highways officers have reviewed the proposals and find it acceptable on parking and highways grounds.

- o Loss of amenity through loss of front garden
- o Loss of green space

The level of outdoor amenity provided has been discussed within the main body of the report. The provision of a hardstanding to the front to provide 2no parking spaces would be consistent with the streetscene where it appears that the majority of properties benefit from front hardstanding.

- o Proposals make no reference how they will deal with SUDS requirement

Not a requirement for a development of this scale

- o Loss of single family housing stock
- o Number of flat conversions is detrimental to the community and character of the

estate

- o The area requires family homes
- o Eroding character of area
- o Good existing offer of housing mixes
- o Character of family homes

The principle of conversion to flats has been discussed within the main body of the report. It is also noted that the conversion would provide 1x 3bed unit which is considered a family sized unit.

- o Overdevelopment and high intensity
- o Anti-social behaviour as a result of flat conversions
- o Negative cumulative impact of overdevelopment
- o Intensive use

Revised drawings have been received in order to adequately address initial concerns regarding the scale of the proposed extensions. The additional comings and goings resulting from the proposed use of the site is discussed within the main body of the report.

- o Design provides blank wall to corner of Chiltern Gardens

Three windows are proposed to face onto Chiltern Gardens. This is consistent with the extensions found acceptable under a previous application.

- o Insufficient daylight

Adequate light and outlook is considered to be provided to the proposed units.

- o Not environmentally sustainable

In the event of an approval, a condition would be attached to ensure carbon reduction measures. From aerial photography it appears that the front garden area already has a large area of hardstanding.

- o Beds-in-shed control

The proposal does not include the conversion of the outbuilding to a self-contained unit. Planning permission would be required for this. A condition could be attached to any approval requiring the outbuilding to be ancillary to the first and loft floor unit. Any unlawful development should be reported to the council's enforcement team.

## **6. Equality and Diversity Issues**

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

## **7. Conclusion**

Having taken all material considerations into account, the proposed development would have an acceptable impact on the character and appearance of the application site and the wider locality, would have an acceptable impact on amenities of neighbouring and future occupiers. This application is therefore recommended for APPROVAL.



